

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SYMBOLOGY INNOVATIONS, LLC,

Plaintiff,

v.

ROCHE DIAGNOSTICS GMBH LTD.,

Defendant.

Case No. 2:23-cv-00630-JRG-RSP

PATENT CASE

JURY TRIAL DEMANDED

**NOTICE OF NON-OPPOSITION TO DEFENDANT
ROCHE DIAGNOSTICS GMBH'S MOTION TO DISMISS**

Pursuant to Local Rule CV-7(e), Roche Diagnostics GmbH submits this notice of non-opposition regarding its pending Motion to Dismiss, which was filed on May 8, 2024. *See* Dkt. No. 10. Plaintiff's response was due May 23, 2024, but no response was filed and no extension was requested. Plaintiff has also failed to serve its infringement contentions, which were due on May 15, 2024. *See* Dkt. No. 7. Roche Diagnostics GmbH thus respectfully requests the Court deem its Motion unopposed and dismiss the case. *See* Local Rule CV-7(e) (“(e) Time to File Response. A party opposing a motion has fourteen days (twenty-one days for summary judgment motions) from the date the motion was served in which to file a response and any supporting documents, after which the court will consider the submitted motion for decision.”).

Dated: May 28, 2024

Respectfully submitted,

By: /s/ Aaron P. Pirouznia

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**COUNSEL FOR DEFENDANT
ROCHE DIAGNOSTICS GMBH**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on May 28, 2024, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

/s/ Aaron P. Pirouznia
Aaron P. Pirouznia